

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

GARY L. STEVENS, :

Plaintiff, :

vs. : CA 08-0418-KD-C

H & S HOMES, L.L.C., et al., :

Defendants.

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the recommendation to which defendants' exception is made (see doc. 24), the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated August 26, 2008 is **ADOPTED** as the opinion of this Court.

DONE this 30th day of September, 2008.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE